

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 15, 1998

DIVISION TWO

B112780 Greenfield (Not for Publication)
v.
Varee

The judgment is reversed insofar as it evaluates and divides the parties' pensions. The judgment is otherwise affirmed. Appellant shall recover costs.

Fukuto, Acting P.J.

We concur: Nott, J.
Zebrowski, J. (Opinion)

B112706 People (Not for Publication)
v.
Bell

The Court:

The judgment is affirmed.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

B102926 Spruell (Not for Publication)
v.
TRW, Inc.

The judgment is reversed. Plaintiff shall recover costs.

Fukuto, J.

We concur: Boren, P.J.
Zebrowski, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Kitching, J., Aldrich, J., Goodman, J. (Assigned), and Valorie Gray, Deputy Clerk.

Each of the following:

B119067 People v. Colbert
B115974/B117307 People v. Smith
B115126 People v. Leon
B115157 People v. Lawler
B115145 People v. Vincent B.
B115969 People v. Enriquez
B114801 People v. Chen
B121271 County of L.A. v. Victor L.
B118252 County of L.A. v. Karie G., et al.
B104623 People v. Anderson
B109499 People v. Griffin
B119004 People v. Wier

Argument waived, cause submitted.

B113620 People
 v.
 Paz

Merits:

Argued by Gary E. Gibbs for appellant and by Michael C. Keller, deputy attorney general for respondent. Cause submitted.

B109039 Supple
 v.
 Kaufman

Merits:

Argued by Bruce Adelstein for appellant and by Lance S. Spiegel for respondent. Cause submitted.

DIVISION THREE (Continued)

B123133 Norman D.
 v.
 S.C.L.A.
 (Department of Children & Family Services, r.p.i.)

Merits:

Argued by Karen Cianfrani for petitioner and by Wayne Song for real party in interest and by Lisa K. Rozzano for minor. Cause submitted.

B111562 People
 v.
 Coward

Merits:

Argued by Nicholas DePento for appellant and by M. Susan Sullivan, deputy attorney general for respondent. Cause submitted.

B104426 International Rectifier Corp.
 v.
 State Board of Equalization of the State of California

Merits:

Argued by Frederick A. Richman for appellant and by Philip C. Griffin, deputy attorney general for respondent. Cause submitted.

The Court recessed at 11:50 A.M.

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Kitching, J., Aldrich, J., Goodman, J. (Assigned), and Valorie Gray, Deputy Clerk.

DIVISION THREE (Continued)

B115777 Rudich
 v.
 Jackson

Merits:
Argued by E. Todd Trumper for appellant and by Brian Edwards for
respondent. Cause submitted.

B114862 Takyi
 Law Offices of Hollins & Rice
 v.
 Gorin

Merits:
Argued by Martin Reiner for appellant and by Byron S. Hollins for
respondent. Cause submitted.

B118915 Greene
 v.
 S.C.L.A.
 (Lambert, r.p.i.)

Merits:
Argued by Thomas Paine Dunlap for petitioner and by Shelly M.Mandell
for real party in interest. Cause submitted.

Court adjourned at 2:45 P.M.

DIVISION FOUR

B106740 Brinton (Not for Publication)
v.
TRW

The judgment is reversed with respect to the claims for breach of employment contract and breach of the implied covenant, and the trial court is ordered to enter judgment in appellant's favor and against respondent on these claims. The judgment is reversed with respect to the claims for intentional and negligent misrepresentation, and upon trial of these claims, the trial court is directed to reexamine its rulings concerning emotional distress and punitive damages insofar as they may pertain to these misrepresentation claims. The judgment is affirmed in all other respects. Appellant is awarded his costs on appeal.

Cooper (F.M.), J. (Assigned)

We concur: Vogel (C.S.), P.J.
Epstein, J.

B108319 Stites (Not for Publication)
v.
Fireman's Fund Insurance Co.

The judgment is affirmed.

Cooper (F.M.), J. (Assigned)

We concur: Vogel (C.S.), P.J.
Epstein, J.

B111222 People (Certified for Publication)
v.
Contreras

The judgment is reversed. The matter is remanded for a new trial.

Cooper (F.M.), J. (Assigned)

We concur: Vogel (C.S.), P.J.
Epstein, J.

September 15, 1998-Continued

DIVISION FOUR (Continued)

[illegible]

The judgment is reversed, and the trial court is directed to set aside its order denying the motion to suppress evidence and to enter a new order granting this motion.

Cooper (F.M.), J. (Assigned)

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION FIVE

[illegible]

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

[illegible]

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B114142 Patrick Sines (Not for Publication)

v.

Southern Pacific Transportation Company

The judgment is affirmed. Sines is to pay Southern Pacific's costs on appeal.

Grignon, J.

We concur: Turner, P.J.

Godoy Perez, J.

B119798 Los Angeles County, D.C.S. (Not for Publication)

v.

Virginia B.

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.

Godoy Perez, J.

B117716 People (Not for Publication)

v.

Jose Mariscal

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.

Grignon, J.

DIVISION FIVE (Continued)

102573-98

THE HONORABLE FRED WOODS, Associate Justice of the Court of Appeal, Second Appellate District, Division Seven, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Five, as a Justice thereof, on the following date:

October 7, 1998

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: September 10, 1998

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

B105846 Dan E. Butcher et al.
 v.
 The City of Rolling Hills Estates et al.

Filed order denying petition for rehearing.

B123780 People
 v.
 Jerry C. Funches

Filed order vacating submission order of August 4, 1998. Further briefing due September 29, 1998.

September 15, 1998-Continued

DIVISION SIX

B118177 People (Not for Publication)
v.
Goularte

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Coffee, J.

DIVISION SEVEN

B116597 People (Not for Publication)
v.
Miley

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Johnson, J.

B094394 Palmieri (Not for Publication)
v.
Los Angeles Times, et al.

The judgment is affirmed. Respondents shall recover their costs on appeal.

Neal, J.

We concur: Woods, Acting P.J.
Kwong, J. (Assigned)

DIVISION SEVEN (Continued)

B117080 People

v.

Andrae C.

Filed order modifying opinion and denying rehearing. (Change in judgment.)

B117462 People

(Not for Publication)

v.

Casado

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.

Neal, J.

B112460 People

(Not for Publication)

v.

Rabun

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.

Neal, J.

B112905 Insurance Company of The West

(Not for Publication)

v.

Kozlenko, et al.

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.

Neal, J.

DIVISION SEVEN (Continued)

B111379 Bendo, et al. (Not for Publication)
 v.
 Robinson

The judgment is reversed. Appellants are awarded their costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
 Woods, J.

B113022 Bostanian
 v.
 The Escrow Forum, Inc.

Filed order denying petition for rehearing.

B111374 People
 v.
 Thomas

Filed order denying petition for rehearing. Woods, J. would grant.

B103965 Ames
 v.
 Graham

Filed order denying petition for rehearing. Johnson, J. would grant.

B096536 Traweek
 v.
 Manatt, Phelps Rothenberg Tunney & Phillips

Filed order denying petition for rehearing.

September 15, 1998-Continued

DIVISION SEVEN (Continued)

B104377 Hall
 v.
 Kettering

Filed order vacating submission pursuant to rule 22.5, California Rules of Court, for purpose of reargument on October calendar.